



Atty. Dkt. No. 065691-0327
Appl. Ser. No. 10/619,905

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Karim BOUMEDIENE et al.
Title: USE OF UNSAPONIFIABLE
COMPONENTS OF VEGETABLE
OILS FOR PREPARING A FOOD
ADDITIVE
Appl. No.: 10/619,905
Filing Date: 7-15-2003
Examiner: TBD
Art Unit: TBD

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EL 979071204 US	October 21, 2003
(Express Mail Label Number)	(Date of Deposit)
SUZANNE LANGELEY	
(Printed Name)	
(Signature)	

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop APPLICATION
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. Copies of those listed documents that were previously cited for U.S. application no. 09/868,989, which is the parent of the instant application, have already been made available to the Examiner. Applicants have enclosed a copy of the International Search Report for PCT/FR99/03272, which is the international counterpart for the instant application. English-language counterparts for the non-English language patent documents cited in the International Search Report are listed on the Form PTO/SB/08. Because the instant application was filed after June 30, 2003, Applicants have not included any U.S. patents listed on the Form PTO/SB/08. However, should

the Examiner request a copy of any listed document not provided herewith, Applicants will gladly provide the Examiner with a copy.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b)(3), before the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Any document listed on the attached PTO/SB/08 was cited as being relevant during the prosecution of the corresponding International application (PCT/FR99/03272) or the corresponding parent application U.S. 09/868,989. A copy of the International Search Report for PCT/FR99/03272 is attached setting forth the portion of each document considered relevant by the examiner. English-language counterparts for cited non-English language references include: GB 1 427 253 for FR 2 231 394; CA 2132369 for EP 0 643 960; U.S. 6,146,616 for FR 2 762 512; and U.S. 5,262,163 for FR 2 678 632. An English-language translation is not available for the article authored by Par H. THIERS *et al.*, however, an English language summary is

provided at page 250 of the article. An English language translation is not available for the PIASCLEDINE websites, (documents A15 and A16). However, the websites describe PIASCLEDINE 300 mg, which includes insaponifiable components of avocado oil (100 mg) and insaponifiable components of soya bean oil (200 mg). The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 CFR §1.98 and MPEP § 609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Respectfully submitted,

Date 10/21/03

FOLEY & LARDNER
Customer Number: 26371
Telephone: (414) 297-5529
Facsimile: (414) 297-4900

By M. Scott McBride

M. Scott McBride
Attorney for Applicant
Registration No. 52,008

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Date Submitted: October 21, 2003

Use as many sheets as necessary

1

of

1

Complete if Known

Application Number	10/691,905
Filing Date	July 15, 2003
First Named Inventor	Karim Boumediene
Group Art Unit	TBD
Examiner Name	TBD
Attorney Docket Number	065691-0327

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	U.S. 6,146,616		Msika	11-14-2000	
	A2	U.S. 5,998,396		Nakano	12-07-1999	
	A3	U.S. 5,627,289		Jeromin	05-06-1997	
	A4	U.S. 5,498,411		Rancurel	03-12-1996	
	A5	U.S. 5,262,163		Rancurel	11-16-1993	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A6		FR 2 231 394			12-27-1974		
	A7		EP 0 643 960			03-22-1995		
	A8		FR 2 762 512			10-30-1998		
	A9		FR 2 678 632			01-08-1993		
	A10		GB 1 427 253			03-10-1976		
	A11		CA 2132369			03-22-1995		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A12	International Search Report for PCT/FR99/03272 (WO 00/38701)	
	A13	Helen Kim et al., "Mechanisms of Action of the Soy Isoflavone Genistein: Emerging Role for its Effects Via Transforming Growth Factor- β Signaling Pathways 1-3", The American Journal of Clinical Nutrition, vol. 68, No. 6, (suppl), pgs. 1418S-1425S, (1998) © 1998 American Society for Clinical Nutrition.	
	A14	Par H. Thiers et al., "Un Groupe D'Agents Therapeutiques Nouveaux: Les Insaponifiables Des Huiles Vegetables, Leurs Carotenoids, Leurs Indetermines Administres En Solution Alcoolique", Therapie, vol 16, pgs. 235-251, 1961	
	A15	Pharmascience Laboratories "PIASCLEDINE 300 mg gelules," 1992, previously available at http://www2.biam2.org/www/spe11021.html	
	A16	VIDAL, "PIASCLEDINE 300 mg gel"; available at http://www.vidal.fr/medicament/piascledine-13187.htm	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.